



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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OFFICE OF  
ENVIRONMENTAL CLEANUP

April 29, 2013

Mr. Bob Wyatt  
NW Natural  
220 NW 2nd Avenue  
Portland OR 97209

*sent via email only*

Mr. Myron Burr  
Siltronic Corporation  
7200 NW Front Avenue, M/S 20  
Portland, Oregon 97210-3676

RE: Substantial Product Evaluation at U.S. Moorings Site  
Gasco Sediments Site

Dear Sirs:

On November 29, 2012, EPA provided NW Natural and Siltronic Corporation an evaluation of the presence of substantial product in the U.S. Government Moorings (U.S. Moorings) offshore area prepared by EPA's contractor. This evaluation was initiated as a result of a substantial product evaluation submitted by the U.S. Army Corps of Engineers (USACE) to the EPA in a letter dated August 14, 2012, and a rebuttal letter submitted by Anchor QEA, LLC (Anchor QEA), on behalf of NW Natural, to EPA on September 24, 2012. The USACE's evaluation challenged the conclusion provided in the Gasco Sediments Site draft *Engineering Evaluation/Cost Estimate*<sup>1</sup> (EE/CA) that substantial product is not present in the U.S. Moorings offshore area.

The significance of whether or not substantial product is present in the U.S. Moorings offshore area is related to identifying the Gasco Sediment Site Project Area over which remedial alternatives are to be considered. The Gasco Sediments Site 2009 Administrative Settlement Agreement and Order on Consent for Removal Action (AOC) Statement of Work (SOW), Section 3.4.1, states that the "project area shall be identified in an iterative fashion through the course of data gathering, alternatives evaluation, and design." AOC SOW Section 3.6.2 provides the "expected risk information to be used in project boundary and sub-area refinement for the EE/CA..." and includes substantial presence of product as discussed in Section 3.6.2.1. Other lines of evidence to be considered in defining the project boundary, and discussed in Section 3.6.2, include benthic toxicity bioassays, benthic toxicity models, human health shellfish consumption, human health direct sediment exposures, sediment probable effects concentrations, Portland Harbor baseline PAH levels, groundwater plume concentrations, and other potential lines of evidence consistent with the Portland Harbor-wide process. AOC SOW Section 3.6.2.11 indicates that each of these lines of evidence are to be individually mapped and then combined in overlays to define the project boundary taking into consideration the relative weights of each line of evidence as determined by EPA.

EPA considers the presence of substantial product to be a strong line of evidence as the remedial action "will include a preference for removal of in-river materials containing 'substantial product'..." as

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<sup>1</sup> Anchor QEA, LLC. 2012. *Draft Engineering Evaluation/Cost Estimate, Gasco Sediments Cleanup Site*. Prepared for U.S. EPA Region 10 on behalf of NW Natural. May 2012.

indicated in Section 1 of the 2009 AOC SOW. The USACE's August 14, 2012 substantial product evaluation provided new data (i.e., additional sediment core logs and data) from their U.S. Moorings 2008 Remedial Investigation (RI) and 2008/2009 supplemental investigation. EPA's contractor reviewed this new data along with the previously existing data obtained from USACE and NW Natural to determine if substantial product, as defined in AOC SOW Section 3.6.2.1, is present in the U.S. Moorings offshore area. EPA's contractor identified three core locations as containing substantial product based on a review of the available sediment core logs. Two other locations were identified as containing substantial product based on the depth to which future maintenance dredging is anticipated to occur as described by the USACE in their August 14, 2012 letter.

The November 29, 2012 EPA letter indicated that if NW Natural and Siltronic contested the evaluation conclusions, the areas identified in the evaluation could be re-sampled. However, if NW Natural and Siltronic did agree with the evaluation conclusions, additional sampling may still be needed to refine the remedial design area (i.e., Project Area) based on the substantial product line of evidence and other lines of evidence.

EPA met with representatives of NW Natural and Siltronic Corporation on January 29, 2013, to discuss the substantial product Remedial Action Objective #1 (RAO #1), including EPA's evaluation of the presence of substantial product in the U.S. Moorings offshore area. During the meeting, NW Natural indicated they would prepare an investigation work plan for the U.S. Moorings area to confirm the substantial product evaluation findings and further evaluate the other lines of evidence to determine if any portion of this area should be included within the Gasco Sediments Site Project Area.

As of this date, EPA has not observed any progress on preparing or submitting a work plan to conduct an investigation in the U.S. Moorings offshore area. Identification of substantial product is one of several lines of evidence critical to the evaluation of remedial action alternatives in the draft Gasco EE/CA. As such, the investigation of the U.S. Moorings area needs to be accomplished in a timely manner to ensure that an appropriate remedial alternative can be selected in sequence with the Portland Harbor-wide cleanup process. As a result, the deadline for submitting the U.S. Moorings investigation work plan is 30 days from the date of this letter.

Please let me know if you have any questions or concerns at (206) 553-1220 or via email at [sheldrake.sean@epa.gov](mailto:sheldrake.sean@epa.gov).

Sincerely,



Sean Sheldrake, RPM

Cc:

Kristine Koch, EPA  
Chip Humphrey, EPA  
Mark Ader, EPA  
Dana Bayuk, ODEQ

*via email only*